



United States Attorney
Southern District of New York

MEMO ENDORSED

VIA ECF

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

Jacob K. Javitz Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

March 7, 2024

USDC SDNY
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Re: *Miller, et al. v. Juarez Cartel*
23-Mc-00343 (VEC)

Dear Judge Caproni:

Plaintiff Howard J. Miller (the “Plaintiff”) and intervenor United States (together the “Parties”) respectfully submit this joint status letter in response to the Court’s order from March 4, 2024 (Dkt. 13) (the “Order”) directing the Parties to update the Court by March 12, 2024 on the progress of settlement discussions.

The Parties conferred telephonically on March 5, 2024. The United States has agreed that it will notify Plaintiff of any assets currently subject to the Preliminary Order of Forfeiture entered against the defendant Ying Sun in the criminal ancillary proceeding, *United States v. Sun, et al.*, 21-Cr-343 (SHS) (S.D.N.Y.) (the “Forfeiture Proceeding” at Dkt. 221), for which the United States decides not to seek a final order of forfeiture. The United States agrees to provide this notice to Plaintiff, at the latest, 48 hours prior to notifying any relevant financial institution of the government’s release of restraint of said asset.

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The Parties have further agreed, in light of the United States' agreement to provide notice, that the above-captioned attachment proceeding can be stayed pending the outcome of the Forfeiture Proceeding.

Application GRANTED. The Clerk of Court is respectfully directed to STAY the case. The parties are ordered to submit a joint status update on the first of each month, or if the first falls on a weekend or holiday, on the next business day thereafter. The parties' next status update is due **Monday, April 1, 2024**.
SO ORDERED.

 03/07/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

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United States Attorney

by: /s/
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Plaintiff

by: /s/
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